



CDSS

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**DEPARTMENT OF SOCIAL SERVICES**  
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ARNOLD SCHWARZENEGGER  
GOVERNOR

August 11, 2010

Joe Valentine, Director  
Contra Costa County Employment & Human Services Department  
40 Douglas Drive  
Martinez, CA 94553

Dear Mr. Valentine:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of February 2010. Enclosed is the final report on the review. We apologize for the delay in the report.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be posted on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

Sincerely,

JIM TASHIMA, Acting Chief  
Civil Rights Bureau  
Human Rights and Community Services Division

Enclosure

c: Yrma Villarreal, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program  
M.S. 8-9-32

Mike Papin, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Richard Trujillo, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Paul Gardes, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Policy Bureau M.S. 8-9-32

Brian Tam, CDSS Supplemental Nutrition Assistance Program  
Food Stamps Management Operations Section M.S. 8-9-32

Thuan Nguyen, Refugee Programs Bureau, M.S. 8-8-46

Joe Torres, Office of Civil Rights  
USDA Food and Nutrition Services  
Supplemental Nutrition Assistance Program (SNAP)  
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT  
FOR CONTRA COSTA COUNTY  
EMPLOYMENT & HUMAN SERVICES DEPARTMENT  
Conducted February 8 – 10, 2010**

**California Department of Social Services  
Human Rights and Community Services Division  
Civil Rights Bureau  
744 P Street, M.S. 8-16-70  
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**Reviewer**

**Cindy Guzman  
Tiffany Marsh**

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## CIVIL RIGHTS COMPLIANCE REVIEW REPORT

### I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Contra Costa County Employment & Human Services Department with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on February 8 – 10, 2010 with Yrma Villarreal, Civil Rights Coordinator. An exit interview was held March 10, 2010 to review the findings.

The review was conducted in the following locations:

<b>Name of Facility</b>	<b>Address</b>	<b>Programs</b>	<b>Non-English languages spoken by a substantial number of clients (5% or more)</b>
Contra Costa County Employment & Human Services Department	400 Ellinwood Way, Pleasant Hill, CA	CalWORKS, Food Stamps.	Spanish
Contra Costa County Employment & Human Services Department	500 Ellinwood Way Pleasant Hill, CA	Children's Services IHSS	Spanish
Contra Costa County Employment & Human Services Department	151 Sandcreek Road Brentwood, CA	CalWORKS, Food Stamps.	Spanish

## II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2010 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

### Interviews Conducted of Public Contact Staff

<b>Classifications</b>	<b>Total Interviews</b>	<b>Bilingual</b>
Eligibility Workers	4	3
Children Social Workers	1	1
Adult Program Workers	2	2
Receptionist/Screeners	3	3
<b>Total</b>	<b>10</b>	<b>9</b>

An additional interview was scheduled but was not conducted due to staff unavailability.

### Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

### Reviewed Case Files

English speakers' case files reviewed	8
Non-English or limited-English speakers' case files reviewed	28
Languages of clients' cases	Spanish, Tagalong, Vietnamese, Farsi, English

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX reviews the county's Civil Rights Compliance Plan.

Section X of the report is reserved for a declaration of overall compliance.

### **III. DISSEMINATION OF INFORMATION**

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

#### **A. Findings**

<b>Access to Services, Information and Outreach</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			500 Ellinwood/Child Welfare Division accommodate working parents through evening and early morning hours when needed. 400 Ellinwood accommodates working clients from 7:00 a.m. to 6:00 p.m.

				Workers also meet with clients during the lunch break. Brentwood has no regularly scheduled extended hours.
Does the county have extended hours to accommodate clients?	X			500 Ellinwood/Child Welfare Division accommodate working parents through evening and early morning hours when needed. 400 Ellinwood accommodates working clients from 7:00 a.m. to 6:00 p.m. Brentwood has no regularly scheduled extended hours.
Can applicants access services when they cannot go to the office?	X			Applicants can access services by telephone or fax. Applications for Food Stamps are accepted through the Mail. Home visits can be arranged if necessary.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county ensures the awareness of available services for individuals in remote areas through the Department Website; phone book and community based organizations.

<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			
Is the pamphlet distributed and	X			



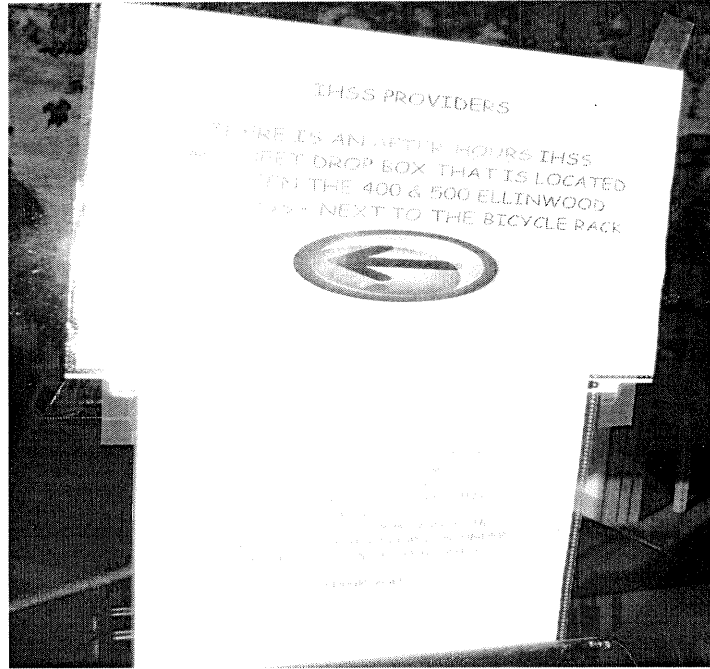
<b>Signage, posters, pamphlets</b>	<b>Yes</b>	<b>No</b>	<b>Some-times</b>	<b>Comments</b>
explained to each client at intake and re-certification?				
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			
Was the Pub 13 available in large print, audiocassette and Braille?	X			
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			All workers interviewed knew the locations of the required posters with the Civil Rights Coordinator's name and address.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		X		The 500 Ellinwood facility had instructional and directional signs posted which were not translated into appropriate languages. Please refer to some of the samples found below: (Fig. A, B & C).



(Fig. A)



(Fig. B)



(Fig. C)

Informational Element	Corrective Action Required
Directional signage	<p>Contra Costa County shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages.</p> <p>Div. 21-107.212 and .24</p>

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website [http://www.dss.cahwnet.gov/civilrights/YourRights\\_498.htm](http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm).

#### **IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

##### **A. Findings and Corrective Actions**

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

**Facility Location:** 400 Ellinwood Way, Pleasant Hill, CA

<b>Facility Element</b>	<b>Findings</b>	<b>Corrective Action</b>
Parking	<p>Accessible Parking close to the building is in compliance. Accessible Parking out in parking lot is too short at 16'.</p> <p>Access aisle out in parking lot is short at 16'</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135</p> <p>Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 &amp; 2, ADA 4.6.3) p. 135</p>

**Facility Location:** 500 Ellinwood Way, Pleasant Hill, CA

<b>Facility Element</b>	<b>Findings</b>	<b>Corrective Action</b>
Parking	<p>Accessible Parking close to the building is in compliance. Accessible Parking out in parking lot is too short at 16".</p> <p>Access aisle out in parking lot is too short at 16'</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135</p> <p>Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 &amp; 2, ADA 4.6.3) p. 135</p>
	<p>Van Accessible Parking close to the building is in compliance. Accessible Parking out in the parking lot is too short at 16".</p> <p>Van Access aisle out in parking lot is too short at 16'</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135</p> <p>Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p. 135</p>

**Facility Location:** 151 Sandcreek Road, Brentwood, CA

<b>Facility Element</b>	<b>Findings</b>	<b>Corrective Action</b>
Parking	<p>Width of accessible parking space is too narrow at 8'.</p> <p>Width of Van accessible space is too narrow at 8'.</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p. 135</p> <p>Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.3.1, ADA 4.6.3) p. 135</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p. 135</p>

		Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.3.1, ADA 4.6.3) p. 135
Exterior entrance	Main Entrance Door Pressure too high at 13 lbs.	Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 201  Force to open fire door, minimum allowable not to exceed 15 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(1)) p. 201

**V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES**

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff is not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

**A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews**

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			County uses the "I SPEAK" Language cards.
Does the county use a primary language form?	X			County uses a primary language form Gen 22.
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			County has a list of certified bilingual workers, and work with an agency to ensure interpreters are on hand at initial intake.
Is there a delay in providing services?	X			Although the County has a language line to help avoid delays, one County worker stated it can be difficult at times to get a Spanish interpreter for walk in clients, causing a delay up to 20 minutes.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			County has a language line and county interpreter list.
Are county interpreters determined to be competent?	X			

Question	Yes	No	Some- times	Comments
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			The county allows the client to provide his or her own interpreter, however they discourage this, and they explain that there could be ineffective communication using his or her own interpreter.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides	X			



Question	Yes	No	Some-times	Comments
the Pub 13)?				
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			The county works with a community based organization, Project Second Change. The county has a resource guide they use to assist their clients with their needs.
Does the county offer screening for learning disabilities?	X			The County worker stated during the telephone interview that Welfare to Work Workers would provide this screening.

## B. Corrective Actions

Area of Findings	Corrective Actions
Timely Services	Contra Costa County must ensure that bilingual/interpretive services are prompt and without undue delay. Div. 21-115

## VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

### A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	IHSS	CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	CWS/CMS SOC 158A SAWS 1	Gen 22 IHSS Screening Worksheet; SOC 295	CalWin Gen 22	CalWin Gen 22

<b>Documented Item</b>	<b>Children's Services</b>	<b>IHSS</b>	<b>CalWORKs</b>	<b>Non-Assisted Food Stamps</b>
Primary language documentation	CWS/CMS Gen 22	Gen 22 SAWS 1	Gen 22 SAWS 1	Gen 22 SAWS 1
Method of providing bilingual services and documentation	Documentation lacking in some of the sample case files.	Gen 22. Good Documentation in most case files reviewed.	Gen 22	Gen 22. Good Documentation on Bilingual Worker Used.
Client provided own interpreter	Gen 22	Gen 22	Gen 22	Gen 22
Release of information to Interpreter	Workers Interviewed mentioned a release form and policy to let clients know of potential problems with having their own interpreters.	Workers Interviewed mentioned a release form and policy to let clients know of potential problems with having their own interpreters.	Workers Interviewed mentioned a release form and policy to let clients know of potential problems with having their own interpreters.	Workers Interviewed mentioned a release form and policy to let clients know of potential problems with having their own interpreters.
Individual's acceptance or refusal of written material offered in primary language	The Gen 22 Form is used.	The Gen 22 Form is used.	The Gen 22 Form is used.	The Gen 22 Form is used.
Documentation of minor used as interpreter	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.
Documentation of circumstances for using minor interpreter temporarily	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.
Translated notice of actions (NOA)	Did not find in sample cases.	Did not find in sample cases.	Did not find in sample	Did not find in sample cases.

<b>Documented Item</b>	<b>Children's Services</b>	<b>IHSS</b>	<b>CalWORKs</b>	<b>Non-Assisted Food Stamps</b>
contain translated inserts	Bilingual staff provides translation as needed.	Bilingual staff provides translation as needed.	cases. Bilingual staff provides translation as needed.	Bilingual staff provides translation as needed.
Method of identifying client's disability	None found in sample cases.	IHSS 292	Statement Of Facts.	Statement Of Facts.
Method of documenting a client's request for auxiliary aids and services	Would be in narrative. No documentation found in sample cases.	IHSS 292	Would be in narrative. No documentation found in sample cases.	Would be in narrative. No documentation found in sample cases.

## **B. Corrective Actions**

<b>Areas of Action</b>	<b>Corrective Action</b>
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	Contra Costa County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

## VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

### A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			County workers interviewed said they receive continued Division 21 Training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All County workers interviewed understood the county policy regarding a client's rights and procedures to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

## VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

### A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			
Did the employees know who the Civil Rights Coordinator is?	X			All workers interviewed knew who the Civil Rights Coordinator is.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

## IX. CIVIL RIGHTS COMPLIANCE PLAN

Thank you for submitting your agency's Civil Rights Compliance Plan for 2010. It is approved as submitted.

## **X. CONCLUSION**

The CDSS found the Contra Costa County Employment and Human Services Department very helpful and welcoming. We would especially like to thank Yrma Villarreal, Civil Rights Coordinator, for organizing the details of the review.

Contra Costa County Employment and Human Services Department must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.